



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG/JDG/CMP
F.#2008R00530

271 Cadman Plaza East

Brooklyn, New York 11201

January 30, 2012

By ECF and Federal Express

Adam D. Perlmutter, Esq.
260 Madison Avenue, Suite 1800
New York, NY 10016

Samuel M. Braverman, Esq.
901 Sheridan Avenue
Bronx, NY 10451

Susan Kellman, Esq.
25 8th Avenue
Brooklyn, NY 11217

Re: United States v. Thomas Gioeli, et al.
Criminal Docket No. 08-240 (BMC)

Dear Counsel:

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure and the government's obligations under Brady v. Maryland, 373 U.S. 83 (1963), the government hereby furnishes the following additional discovery in the above-captioned case.

Discovery Exhibit #1356 is being provided pursuant to the Court's prior order of November 4, 2009, directing the government to produce the "source documents and objects leading to the issuance of the government's discovery letter, dated August 12, 2009."¹ On September 2, 2011, the government disclosed hundreds of pages of NYPD Internal Affairs Bureau ("IAB") reports regarding an IAB investigation initiated as a result of the Ralph Dols murder, and made the extensive source materials from the IAB investigation (the "IAB Source Materials") available to the defense for review. As you know, counsel for the defense reviewed the IAB Source Materials on January 19,

¹ See United States v. Gioeli, et al., No. 08 CR 240 (BMC), ECF Docket No. 442 (filed November 4, 2009).

2012, at which time demand was made for the government to duplicate and disclose all of the IAB Source Materials. To expedite this process, defense counsel agreed to number the boxes of IAB Source Materials in order of the defense's priority, and the government agreed to scan, redact personal information and disclose the IAB Source Materials on a rolling basis in the order indicated by the defense. The government now discloses documents labeled "Box 1" to indicate the defense's order of priority.² The government also renews its request for reciprocal discovery.

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
1355	Affidavit of Special Agent Scott Curtis in support of search warrant for 2599 Stillwell Ave., Brooklyn, New York, dated May 26, 2000
1356	CD containing Box 1 of the IAB Source Materials, organized into PDF files according to the original file folders and labeled "Folders 1-36"
1357	Records of United States Customs and Border Protection regarding border crossings made by Filippo Saracino, Angela Saracino and Diego Calabro

Sincerely,

LORETTA E. LYNCH
United States Attorney

By: /s/ Cristina M. Posa
Elizabeth A. Geddes
James D. Gatta
Cristina M. Posa
Assistant U.S. Attorneys

cc: All counsel (by ECF) (w/o enclosures)
Clerk of the Court (BMC) (by ECF) (w/o enclosures)

² In fact, counsel for the defense labeled a different box as "Box 1" to indicate that it was of the highest priority. That box, however, consisted of the same files already produced in electronic form on September 2, 2011 as Discovery Exhibit #1290. See "Letter Enclosing Additional Discovery," dated September 2, 2011 (ECF Docket No. 1252). Thus, with the agreement of counsel for Dino Saracino, the next box was re-labeled "Box 1" and is enclosed herewith.